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C O N F I D E N T I A L SECTION 01 OF 04 KHARTOUM 000321

SIPDIS

DEPT FOR AF A A/S CARTER, AF/SPG, AF/E, IO  
NSC FOR MGAVIN AND CHUDSON  
ADDIS ABABA FOR USAU  
DEPT PLS PASS TO USAID FOR AFR/SUDAN

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TAGS: [ASEC](#) [PREL](#) [PGOV](#) [KPKO](#) [SOCI](#) [AU](#) [UNSC](#) [SU](#)  
SUBJECT: NGO EXPULSIONS FURTHER DAMAGE SPLM-NCP RELATIONS

REF: A. KHARTOUM 313  
[B](#). KHARTOUM 308  
[C](#). KHARTOUM 306

Classified By: Charge d'Affaires Alberto M. Fernandez, reasons 1.4(b) and (d)

#### SUMMARY

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[1](#)1. (C) The government's decision to expel 13 INGOs (and dissolve 3 local NGOs) from operating in Sudan has not just damaged the regime's relations with the West, it has also damaged the ruling party's relations with the SPLM, which was not consulted at all about the decision, according to SPLM Deputy SecGen Yasir Arman. Arman contended that moderates in the regime such as Presidential Assistant Ghazi Salah Eddin were against the decision (contrary to the official line he took with CDA Fernandez following our demarche on March 7 - Ref A). Despite the NCP's latest ill-considered move, Arman advised that to ensure CPA stability, the US should still engage with the NCP regime. This remains the best way, he said, to move Sudan in the right direction and protect the interests of the South and the SPLM. (Note: The Government of Southern Sudan (GOSS) intends to ensure that all the affected NGOs can operate in the South if they wish, but the expulsion will affect NGO programs in the Three Areas along the North-South border, as reported in reftels. End note.) End summary.

#### ADDRESSING THE NGO EXPULSION CRISIS

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[1](#)2. (C) CDA Fernandez met with Deputy Secretary of the SPLM for the Northern Sector Yasir Arman on 6 March to discuss the Government of Sudan's (GoS') reaction to the ICC's issuance of an arrest warrant for President Al-Bashir, and in particular the GoS' expulsion of 13 humanitarian NGOs (10 international NGOs were expelled and 3 domestic ones were dissolved.) Upon the CDA's arrival to Arman's office, Arman was engaging with Darfur Darfur Dialogue and Consultation (DDDC) Chairman Abdul Muhammed, who stayed around to participate in the first part of the discussion. While making it clear that neither he, nor the SPLM, condones the decision made by the GoS, Arman explained that the GoS' action to expel the NGOs was a way for it to "mobilize its supporters." The only way they can do this is to "take a hard line," he said. "They took it as a show of force and reaction," continued Arman. In the days following the issuance of the arrest warrant for Bashir, Arman said that the SPLM (and in particular GNU First Vice President Salva Kiir Mayardit) "sat close" with Bashir and GNU Vice President Ali Osman Taha. He explained that the SPLM and the NCP discussed the issue of the shocking NGO expulsions during a

Crisis Management Meeting on 5 March. During the latter meeting, the SPLM expressed anger that it was not consulted on the decision, and that its ministers first learned of the decision from CDA Fernandez rather than through their NCP partners. "We told them they made a big mistake by not involving our ministers," said Arman. Not only does it make it more difficult for our GNU ministers (such as FM Deng Alor) to be effective in their jobs, but also we told them that the action they took "makes us seem irrelevant," said Arman. At the least, FVP Kiir needs to be informed, he said.

According to Arman, Presidential Advisor Ghazi Salah Eddin admitted that the NGO expulsion was "horrible; a big mistake," and that there is no way the regime is able to convincingly justify it. (Note: This is obviously a much different message than the official regime line that Salah Eddin passed to us on March 7 (Ref A). End note.) Because the decision was acted upon immediately and Al-Bashir announced it proudly and publicly on March 5, Salah Eddin allegedly asked "since it has happened, what can we do now?" Nonetheless, as reported in Ref B, Arman promised to pass the message to senior NCP officials that the decision to expel the NGOs must be reversed or frozen in order for the U.S. to be able to engage with the Sudanese government.

13. (C) DDDC Chairman Muhammed suggested that the Arab League and African Union (AU) intervene by meeting with Bashir and other top NCP officials to see if they would be willing to resolve the NGO expulsion crisis. The AU "put its political reputation on the line" regarding Sudan when it took a decision to publicly condemn the ICC's issuance of an arrest warrant of Bashir and send a committee to the UNSC to see if the action can be postponed. Because of this, it might be

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willing to intervene. Muhammed recommended that the U.S. Secretary of State make a call to AU Commission Chairman Jean Ping or Secretary General of the Arab League Amr Musa to ask that they meet with Bashir regarding the expulsions "Ping was mad about the expulsions - let them (the AU) talk to Bashir," he continued. Being able to say they requested the meeting will be good public relations for the AU, and it will be a way for Al-Bashir to save face by meeting with his African colleagues who stood by him in the wake of the ICC indictment. (Note: Since the expulsion order was announced, the AU has done nothing to press the regime to reverse the decision, and Arab League SecGen Amr Musa soft-pedaled the issue in his March 7 meeting with President Bashir, according to UN sources who attended a meeting between Musa and UN SRSG Qazi after the Bashir-Musa meeting, reported septel. End note.)

SPLM IN A TOUGH SPOT, BUT WHAT IS THE USG PLAN ON SUDAN?

14. (C) After Arman bid farewell to Muhammed, CDA underscored the damning effect of the GoS' NGO expulsion decision on vulnerable populations in Darfur and the Three Areas. Arman explained that the SPLM understands "what is at stake," but said that "the situation is difficult" for the SPLM as a party and partner to NCP in the GNU. "I am against what they did, but they consider their reaction a measured response," said Arman. "Bashir wants to show that he can also put pressure" on the international community. For the SPLM to take a stand against the NCP at this time "would be dangerous," he said, but at the same time, "we know that if we don't take a stand against these actions, it will also have consequences. We are not looking for confrontation between the NCP and the SPLM or the NCP and the international community, but at the same time we don't agree with what has taken place," said Arman. CDA encouraged Arman to have the SPLM take a "third path"- one of helping the NCP to avoid confrontations domestically and internationally. He also suggested the SPLM enter into a dialogue with their GNU partners to set right the NGO crisis. Arman said that the SPLM spelled out the consequences of the NGO expulsion decision to the NCP. We told them that they are "developing a situation that will mobilize the world; that they are

punishing millions of people by using food as a weapon." We told them that they have made the wrong decision, stated Arman. The SPLM has offered to try and help the NCP, and in particular Bashir, find a face-saving way out of this.

15. C) "In the SPLM, we want to know - is it the task of the USG to reform or overthrow the NCP?" questioned Arman, "because they require different strategies for us." This is a question that Salva Kiir himself is asking, said Arman. Kiir has said that he doesn't know what the new U.S. plan is, said Arman. CDA replied that the Obama Administration is currently reviewing its US-Sudan policy but there is not doubt that support for the CPA, Darfur, and a close and supportive relationship with the SPLM will remain as cornerstones of US policy. Arman said that the NCP feels that it is not just President Bashir who has been targeted as a result of the ICC issuance of an arrest warrant, but the whole regime. They believe that there is "a plan to remove them or marginalize them," he said. We have told the NCP that we are a different movement, have a different attitude and a different vision, and that while the NCP regards the West as an enemy, we are their friends, recounted Arman. "We support democratic transformation and the CPA; the route the NCP takes is against the CPA," he continued. "The only thing that connects us to the NCP is the CPA," Arman continued. We have told the NCP that "we will never be the NCP and you will never be the SPLM. According to Arman, the SPLM told the NCP that they want the international community to focus on bringing peace to Sudan, especially Darfur, and that the NCP's post-ICC actions have not been beneficial in this regard. "We have told the NCP that we will work with them on a plan to normalize relations with the West and to solve Darfur," said Arman.

#### SPLM ADVISES THE USG TO ENGAGE THE GOS MODERATES

16. (C) Arman advised the CDA that this is not only the time to put pressure on the regime, but also to "make a plan" with the regime's moderate rationalists such as Salah Eddin and Vice President Taha. "Honestly, I see your role not just as putting pressure on the regime and sending messages from DC, but also in developing the way forward," Arman said. "The

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President knows" he has taken the hardline trumpeted by regime Islamic extremists such as Presidential Advisor Nafie Ali Nafie and Minister of Defense Abdul Rahim Hussein, but there is another more rational camp in the NCP. CDA responded that the USG frequently meets with the NCP and advises them on a sensible way forward - a way that would improve USG-GoS relations- but explained that the NCP usually does not take the USG's advice, nor is it honest.

17. (C) Arman applauded the CDA on his vision of "seeing the whole forest, not just the trees," and urged that this point be made to policy-makers in Washington who will certainly be livid about the NGO expulsions. "Sometimes the international community takes decisions on Sudan, but it doesn't look into the totality the decisions' consequences," he said. "We do not have illusions about the NCP's capabilities - we know what they are capable of doing," said Arman. The ICC has created a new situation, and all variables and factors are out of our hands - anything can happen, warned Arman. The NCP is fragile now, and Sudan is a huge country, he continued. This is not a strong regime like Saddam Hussein or even Hafez al-Assad. Arman likened the NCP to a small boy playing with fire - either he can burn the house down or be convinced to put the fire out. "All you need are strategies with which to handle him; if you frighten him, he may overreact," said Arman. However, Arman warned that the NCP needs to be given hope and a way out of their self-imposed dilemma - if there is no hope, they will all become radicals. He urged Washington not to overreact to the GoS' actions and to provide an avenue of hope that USG-GoS relations can improve. Arman also suggested that the Presidential Special Envoy on Sudan be named soon. "Pressure can create

opportunities," and a Special Envoy would be one way to deal with the current issue and to continuously address new and existing issues, said Arman. The wily SPLM politician told the CDA that a new envoy should be "knowledgeable, have charisma, and be able to directly communicate with the White House."

18. (C) CDA spoke to Arman again the evening of March 7. He said that the NGO expulsion issue had consumed the entirety of that day's SPLM/NCP Joint Committee on the crisis. The SPLM had told the NCP that the decision would hurt the possibility of a better relationship with the new American administration even before it gets started. Ghazi Salahudin responded that Sudan had not gotten much from past American administrations except trouble. Arman disagreed and noted that the Bush Administration had gone "from regime change to regime reform" and had brought about the CPA. "You should be working to make sure that the American policy remains regime reform and not regime change," he warned Ghazi. The NCP promised to give the SPLM a response on the NGO issue once the UN/HAC joint assessment process is complete the evening of March 8 (according to the UN, this will lead to a very limited, temporary reversal of the expulsions in order to review them on a case by case basis "in order to ensure that there are no gaps and a smooth transition" but not allowing any of the NGOs to remain in the long run).

#### COMMENT

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19. (C) As the days pass since the announcement of the expulsions, it is becoming more clear that the regime did not adequately think through the consequences of expelling the NGOs, and furthermore that many moderates in the regime such as Ghazi Salah Eddin did not agree with the decision. The dramatic and unexpected expulsions will have consequences that could serve to destabilize the regime (or further expose fissures between the hardliners and the moderates) and will have far-reaching effects on its relations with the international community. As Arman made clear in our meeting with him, the action against the NGOs has also further damaged relations between the CPA parties. Not only does the removal of NGOs by force from the Nuba Mountains make conflict there more likely, but it also increases the chances of southern secession (whether peacefully through a referendum or by force) underlining as it does the great and widening divide that exists between the SPLM and the NCP in terms of relations with the West and the U.S. in particular. Nonetheless, we agree with Arman's advice that the best way to move the NCP and Sudan in the right direction and protect the interests of the South and the SPLM is, unfortunately, to hold one's nose and engage gingerly with an odious and duplicitous regime -- but the expulsions should give us pause

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about engaging the NCP too quickly or profoundly.  
FERNANDEZ